

**VILLAGE OF CAMILLUS
PUBLIC HEARING
April 4, 2016**

Present: Mayor Patricia Butler-Rhoades
Trustee Ann Eckert
Trustee Helen Kiggins Walsh
Trustee Martin Rinaldo
Trustee Richard Waterman

Attorney: Robert J. Allan

2 people in attendance

Mayor Butler-Rhoades opened the Public Hearing at 6:00 p.m. by leading the “Pledge of Allegiance”.

Upon motion of Trustee Walsh, seconded by Trustee Eckert and unanimously approved the Board moved to waive the “Proof of Publication” as follows:

**VILLAGE OF CAMILLUS BOARD OF TRUSTEES
PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Camillus, Onondaga County, New York, will conduct a Public Hearing to consider the application of Rome Gas, Inc. for a Special Permit to modify the mixed-use occupancy from one office and two residential units to one office and three residential units for the real property located at 18 Genesee Street, Camillus, NY 13031, which is located in a commercial district.

The Public Hearing will be at the Village Hall, 37 Main Street, in the Village of Camillus, on Monday, April 4, 2016 at 6:00 P.M. at which time all interested parties will be heard.

The above Special Permit Application is open to inspection at the Office of the Village Clerk and communications in writing in relation thereto may be filed with the Board of Trustees before or at the Hearing.

March 7, 2016

PATRICIA J. BUTLER, Mayor
Village of Camillus

Mr. John Tal addressed the Board as the applicant. He stated that the first floor commercial space at 18 Genesee Street had been vacant for the past 9 months with only 1 or 2 inquiries into the rental space.

Attorney Bob Allan entered the Public Hearing at 6:02 p.m.

Mr. Tal wants to restructure the commercial space into a smaller commercial space and add a 2

bedroom high efficiency apartment. There would still be a commercial space in the first floor front of the building. The apartment and office would have separate entrances. He stated he would probably rent the new apartment out to his own employees. Attorney Allan stated the newest plans showed the small office space having a ½ bath. Mayor Butler-Rhoades asked if there was specific requirements in regards to bathrooms, kitchens, entrances that needed to be met in order to alter the change of the zoning. Attorney Allan explained that the principle use on the first floor must be commercial and Code Enforcer Bill Reagan reiterated that the main use of the building would be commercial and the apartment would be an accessory. Attorney Allan referred to the Mixed Use Dwelling unit code stating “one or more dwelling units contained within a structure having an office, manufacturing, retailing wholesale business as its principle use” adding that the key words are “principle use” stating that Mr. Tal wouldn’t have that since only 69 square feet would be commercial. There was a discussion regarding the need for 6 off street parking spaces and their locations.

Mayor Butler-Rhoades questioned Mr. Tal as to what his next plan would be if the Village could not approve his request because it goes against the code. Mr. Tal didn’t have a definite solution and stated he hadn’t expected MetLife to leave and discussed his difficulty in trying to rent out the commercial space. Attorney Allan stated the existing office is 490 square feet and a 69 square foot office isn’t considered “principal” for that commercial space.

Mayor Butler-Rhoades asked the Board if they had questions for Mr. Tal.

Leland Vogelsang asked what Mr. Tal was doing and Attorney Allan explained Mr. Tal wants to have all apartments except a small office in the front. There has always been 2 apartments and a business. Attorney Allan stated that there has to be 6 parking spaces: 5 spaces for the 3 apartments and 1 space for the office. Mr. Reagan stated that none of the buildings are ADA accessible. Mr. Tal should be able to get \$490 a month for the space when it was 490 square feet which means that the new office space, which is now set to be 81 square feet, would cost about \$81 a month to rent. There is no need for an area variance for the small lot size since it would be grandfathered in and he’s not changing the footprint. If this Board does not grant some authority to satisfy Mr. Tal, his next option would be to ask for a use variance from the Zoning board. An expert would have to show dollars and cents that this space cannot be used for commercial purposes and that properties in the village aren’t renting out and Attorney Allan doesn’t feel that is the case. The commercial spaces in the village have been renting well. The Zoning board could take the position of a self-executing hardship that means when you bought the building you should have known that you had to have the principal use of the building as commercial.

Attorney Allan if he could make the 2 bedrooms into a one bedroom apartment instead and have the whole front of the building as commercial space. Mr. Tal didn’t see how that would help him. Attorney Allan suggested he use the 81 square feet of commercial space to store gas station inventory.

A discussion was had with Chief Jim McBride regarding the need for the new apartment to have a sprinkler system but the other 2 would not need it.

Mayor Butler-Rhoades asked if there were any questions from the public. Mr. Vogelsang

commented regarding the house next door having lights on so the light in this new apartment shouldn't be a problem.

Upon motion of Trustee Kiggins Walsh, seconded by Trustee Rinaldo and unanimously approved the Public Hearing closed at 6:37 p.m.

Mayor Butler-Rhoades asked if the Board had any questions regarding the property at 18 Genesee Street.

Attorney Allan went over the short form SEQR questions and all answers were "no" or "small impact".

The Board moved there is no significant adverse environmental impact. A SEQR determination was made so the vote could go forward. Mayor Butler-Rhoades signed the SEQR.

Mayor Butler-Rhoades asked if there were any comments or concerns from the Board.

Trustee Waterman asked Mr. Tal what exactly what he wanted to do. Mr. Tal stated he wanted to turn the space into an apartment and keep the 81 square foot commercial portion for use by Rome Gas as an office. Mr. Reagan stated that it should be noted that 18 Genesee Street was originally a house and looks more like a residential building than a commercial building which would be a reason why the village would grant this Special Permit.

Attorney Allan reminded the Board that Jamie Lawrence had made the same request for his building that was just west of the Grill and he was denied. He no longer owns the building but is now owned by Mr. Richard Kirk who may want to say the same thing. Clerk Sharon Norcross stated that Mr. Kirk is intending to make 16 Genesee Street a commercial apartment next year. He wants to get a Main Street Grant but he can't do it unless there it is mixed use of residential and commercial.

Upon motion of Trustee Walsh, seconded by Trustee Rinaldo and unanimously approved the Special Permit for 18 Genesee Street was accepted based on the plan dated February 16, 2016 and that the property is more residential looking than commercial. The motion passed 4-0.

CAMILLUS FIRE DEPARTMENT

Chief McBride stated the average response time was 6 minutes and 29 seconds. Training hours for the first quarter are 226.5 hours which includes all in house, training tower, live burns, and construction outside the firehouse.

Chief McBride stated he feels there has not been any problems since discontinuing the siren on the building at the last meeting. He is going to address the membership at the next monthly meeting and open up to the members, get their feelings and report back to the Board. There hasn't been a change in response time.

Mayor Butler-Rhoades asked the Board if they had heard any comments. The Board responded

“no” except for Mayor Butler-Rhoades who stated her husband had commented.

Recruitment Open House is April 22-23, 2016 and will be combined with Fire Prevention to reduce costs. There will be handouts for kids and parents. Poison Control sounded like they would be coming out both days or would send material to give out as well as a couple other organizations. Mercy Flight will be there Saturday and maybe Sunday.

The Fire Department is having a Chicken Parmesan Dinner on Saturday, April, 16, 2016.

Camillus Fire Department had their Pinsky Law Group training conference this past weekend at Turning Stone Casino, 6 or 7 firefighters attended and brought back materials and handouts for members who were not able to attend.

Trustee Rinaldo stated Pinsky has a membership application format they will send to him and he will pass out to Mayor Butler-Rhoades and everyone on the Board once he receives it.

Chief McBride stated he is forming a committee to revamp the applications and revise the procedure. Chief McBride met with Mrs. Mary Ann Cody last week and the red line edition for the By-laws is completed. With the new information they learned at the seminar there will still be minor changes.

Mayor Butler-Rhoades asked if there were any questions for Chief McBride. There were none. Mayor Butler-Rhoades thanked Chief McBride for his service and commitment.

CODE ENFORCEMENT

Enforcement Officer Bill Reagan stated there was 1 building permit application for a fence, 3 building inspections, 1 fire safety inspection, 3 complaint inspections, 21 violations inspections, 2 new letters of notices, 2 unlicensed cars, car jack is gone and has been replaced with 2 concrete blocks. Andy Berg, 3 Leroy, is continually breaking the law, the police have been called. Mr. Reagan will serve a notice to appear in court the next time he has a violation.

Trustee Waterman stated the trash at 30 Elderkin has been cleaned up.

Mr. Reagan stated he had training last week on the new codes. The last revised codes for New York State were adopted 10 years ago based on the international codes. New York State has adopted 2016 international codes with their own modifications which is an additional book, 180 pages of modifications means you have to check the main book then check the modification book to see if there are any changes.

Mr. Reagan asked if Bill Morse was going to prepare the Annual Storm Water reports for Marcellus and Camillus and have the municipalities split the cost. The Village will have to hold a Public Hearing for Storm Water in May. He will check with John Curtin to verify his recollection and check with Bill Morse about the cost. Mayor Butler-Rhoades commented that she thought this might be above the membership cost of \$3600. The state may start requiring, next year, an additional storm water report per the EPA that was handed down to New York

State. If the study was completed and showed that the run off from the hills of Camillus was not polluted then you'd be all set but if it showed phosphorus and other materials from lawns, etc. then the Village would have to create a program that would reduce the chemicals in the Village and take action to reduce those chemicals which could cost billions of dollars. Mayor Butler-Rhoades stated this continues to be unfair for small municipalities who are forced to purchase the membership although she understands the reasoning behind it.

The Public Hearing in May will be for the comments the public has regarding the report.

Upon motion of Trustee Eckert, seconded by Trustee Walsh and approved by the Board to hold a Public Hearing on May 16, 2016 at 6:00 p.m. for the Annual Storm Water Report.

APPROVAL OF THE VOUCHERS

Mayor Butler-Rhoades asked the Board if they had any questions regarding the vouchers. There were none.

Upon motion of Trustee Rinaldo and seconded by Trustee Walsh and unanimously approved, the Board approved Abstract 7 for payment as follows:

General Fund	\$22020.55
Trust & Agency Fund	\$ 2664.90

APPROVAL OF THE MINUTES

Mayor Butler-Rhoades asked the Board if they had any concerns regarding the minutes from the Regular Meeting and Public Hearings on February 1, 2016 and also on March 21, 2016. There were none. Upon motion of Trustee Waterman, seconded by Trustee Rinaldo and unanimously approved, the Board approved the meeting minutes from February 1, 2016 and March 21, 2016.

MAYOR'S ANNOUNCEMENTS

Mayor Butler-Rhoades announced the next scheduled Board Meeting would be April 18, 2016 at 6:00 p.m. There will not be a meeting on May 2, 2016 due to the NYCOM training and Mayor Butler-Rhoades, Trustee Waterman, and Trustee Rinaldo will be attending that training in Saratoga Springs.

ATTORNEY'S COMMENTS

Attorney Bob Allan stated that he had a rough draft drawn up for the proposed agreement for the Board's consideration on the North Street chair lift.

CLERK/TREASURER REPORT

Clerk Sharon Norcross stated the Trash bills had been mailed out. Clerk Norcross stated she had received a complaint of vandalism at 1 Genesee Street from Mary Ann Cody by the neighbor's

kids. She has reported the vandalism to the police.

Code Enforcer Officer Bill Reagan led a discussion regarding Brian Bush's sale of his home without the garage. The new owner said there was a new deed filed last year before he sold it showing the house parcel and the garage parcel being removed from each other. Mr. Bush is complaining that the new owner who bought his home is in violation for having a home without a driveway and she is parking numerous cars on the road. The new owner wants to know if the house and driveway were on the same deed before she bought it and then split apart. Attorney Allan stated he thought it was on 2 separate parcels. Mr. Reagan stated there is a section under the Parking Regulations that state you have to have off street parking. The owner is waiting for Mr. Reagan to let her know whether the sub-division is legal or not. Attorney Allan doesn't think it's a separate sub-division because it was 2 separate tax parcels. She states according to her attorney in Book 4423 page number 150 it was all one parcel and it was split last year. Attorney Allan states the next chance he gets he will look at the deeds and see how they are drafted. Mr. Reagan says he will have her attorney send a copy of the deed. The discussion continued to include a complaint regarding the number of people occupying the home but not substantiated at this time.

OLD BUSINESS

Mayor Butler-Rhoades mentioned not being present for the engineer meeting for Camillus Mills this past Friday but Trustee Waterman attended. Trustee Waterman stated the report was mainly between Bill Morse and 5 or 6 others discussing roof drains, connections, and sewer lines.

Mayor Butler-Rhoades asked if the Board had looked at the tree in front of the Witty Wax shop and the answer was affirmative. The consensus of the Board was that the tree looks fine and does not block the sign. Mayor Butler-Rhoades stated that Village should not be in the business of removing healthy trees so a letter will be sent saying the matter was discussed but the Board will not be taking any action.

Mayor Butler-Rhoades handed out a copy of Richard Kirk's letter regarding trash pick-up. Mayor Butler-Rhoades feels that when he returns to business, the Village should weigh his trash for the month of May and then evaluate the cost and bring it back before the Board on June 6, 2016. Mr. Kirk doesn't open until the end of April. Paragraphs 2 and 3 have nothing to do with the Village's trash law. Paragraph 4 was regarding the Towns dumpsters which Mayor Butler-Rhoades stated she has told Mr. Kirk to address the Town. Trustee Eckert stated the Town of Camillus has their own dumpsters there that is picked up by someone else.

The last statement was regarding the Village going across his property. Attorney Allan stated that the Village allows Mr. Kirk to have his dumpster on Village property. A discussion was had regarding charging by weight versus charging by seating.

TRUSTEE REPORTS

Trustee Waterman stated they continue to pursue the building of a trail and a bridge across the Nine Mile Creek. Rick Smardon, President of Save the County, has "taken the bull by the horn"

and is writing all these people.

Trustee Walsh stated Presidential Primary would be held April 19, 2016, which is the day after the Board Meeting. East Syracuse is moving their Village election to November.

Trustee Eckert stated everything looks good but there is another dead tree in Nine Mile Creek.

PUBLIC COMMENTS

Mr. Vogelsang asked if Camillus Mills would be doing a walk and Mayor Butler-Rhoades stated not at this time but maybe in the next couple years

Upon the motion of Trustee Walsh, seconded by Trustee Rinaldo and unanimously approved, the Board agreed to adjourn the Regular Meeting at 7:46 p.m.

By Carrie Grooms
Sharon Norcross, Village Clerk/Treasurer